

REMARKS

Claims 1, 7, 9, 18-20, 22 have been amended. Claims 1-5, 7-20, and 22-28 are pending.

Claims 1-5, 7-20, 22-28: Rejections under 35 U.S.C. § 112

Claims 1-5, 7-20, 22-28 have been rejected under 35 U.S.C. § 112. Claims 1, 7, 18, 20 and 22 have been amended to accurately reflect the claimed invention. The specification supports a geo-fenced parking areas in addition to designated areas of various radii. The geo-fencing means surrounds a designated area of various radii. The designated area requires no hardware. This is described in the patent application:

[0027] Geo-fencing is an electronic net that incorporates the technology of a GPS and can be used to detect when a vehicle is either entering, exiting, or contained within a designated area. For example, in FIG. 1, each transit station and work site parking area is enclosed using the vehicle monitoring means of geo-fencing GF, with transit station 1 TS1 and work site 1 WS1 employing the use of geo-fencing of various radii (zones 1-3) to enclose each parking area. The use of geo-fencing of various radii provides the vehicle monitoring and reservation system a more accurate means of tracking a vehicle than a single geo-fenced enclosed parking area by generating more data points for the central computer to process.

Claims 2-5, 7-17 depend from claim 1 and are allowable for at least the same reason. Claims 19-20 depend from claim 18 and are allowable for at least the same reason. Claims 23-28 depend from claim 22 and are allowable for at least the same reason.

Claims 9 and 19: Rejections under 35 U.S.C. § 112

Claims 9 and 19 have been rejected under 35 U.S.C. § 112. Claims 9 and 19 have been amended to accurately reflect the claimed invention. In one embodiment of the invention, user-input information is used as a vehicle monitoring means in coordination with the geo-fencing means. This is described in the patent application:

[0028] User-input information S8, as shown in FIG. 2, is also used as a means of monitoring a vehicle and determining when it may be available for reallocation. User-input information comprises information regarding the user's past vehicle usage or intended vehicle usage. The user's intended use of the vehicle may be information concerning their intended destination and/or duration of use. For example, a user hiring a vehicle at a work site parking area could enter the expected time the trip would take to run the errand and return to the parking area. By informing the central computer of the user's intended duration through the use of a terminal S3, the computer can monitor when the vehicle would be due to return and be available for reallocation. Likewise, once a user has registered, the user's destination would be known by the central computer and used to approximate when that vehicle would be available at the expected destination.

Claims 9 and 19 are now in condition for allowance.

Claims 1-5, 7-20, 22-28: Rejections under 35 U.S.C. § 102(b)

Claims 1-5, 7-20, 22-28 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Klein *et al.* (U.S. Pat. No. 5,726,885).

Claims 1, 18 and 22, as amended, now recite:

1. A vehicle monitoring and reservation system usable in a vehicle sharing system, comprising:
 - a) a terminal for accepting a request to use a vehicle;
 - b) registering means for registering said users;
 - c) a designated area for a plurality of users to obtain vehicles from and return vehicles thereto;
 - d) vehicle monitoring means to monitor the use of a vehicle, the vehicle monitoring means comprising geo-fencing means surrounding the designated area, whereby vehicles contained within, entering, or exiting the designated area can be tracked and accounted for, wherein the designated area includes no hardware for monitoring the vehicle;
 - e) a central computer with computing means responsive to said monitoring means and the user's intended use and past vehicle usage for determining when a vehicle will be available for use at said parking designated area and memory means for storing registration information of said users from said registering means;
 - f) communication means responsive to said computing means for communicating the availability of said vehicles; and
 - g) an information device responsive to said communications means wherein the user is informed of the availability of said vehicles at said designated area and reserves an available vehicle.
18. A vehicle monitoring and reservation system usable in a vehicle sharing system, comprising:
 - a) a terminal for accepting a request to use a vehicle and user input information;
 - b) registering means for registering said users;
 - c) a designated area for a plurality of users to obtain vehicles from and return vehicles thereto;
 - d) vehicle monitoring means to monitor the use of a vehicle, the vehicle monitoring means comprising geo-fencing means surrounding the designated area, whereby vehicles contained within, entering, or exiting the designated area can be tracked and accounted for, wherein the designated area includes no hardware for monitoring the vehicle;
 - e) a central computer with computing means responsive to said monitoring means and the user's intended use and past vehicle usage for determining when a vehicle will be available for use at said designated area and memory means for storing registration information of said users from said registering means;
 - f) communication means responsive to said computing means for communicating the availability of said vehicles; and
 - g) an information device responsive to said communications means wherein the user is informed of the availability of said vehicles at said designated area and reserves an available vehicle.
22. A method for vehicle sharing, comprising:
 - providing a designated area for a user to obtain a vehicle from and return the vehicle to;
 - providing a geo-fencing means surrounding the designated area, whereby vehicles contained within, entering, or exiting the designated area can be tracked and accounted for, wherein the designated area includes no hardware for monitoring the vehicle;
 - accepting a request to use a vehicle from the user at a terminal;
 - receiving user-input information at the terminal;
 - determining an availability of the vehicle in response to the user's intended use and past vehicle usage; and
 - communicating the availability of the vehicle to the user through an information device.

Klein *et al.* do not teach a vehicle monitoring means to monitor the use of a vehicle, the vehicle monitoring means comprising geo-fencing means surrounding the designated area, whereby vehicles contained within, entering, or exiting the designated area can be tracked and accounted for, wherein the designated area includes no hardware for monitoring the vehicle. In contrast, Klein *et al.* specify an automatic collection and return device at each collection and return point. [See Klein *et al.* at column 1, lines 9-10; column 4, lines 18-19; column 9, lines 11-12].

Klein *et al.* also do not teach a computing means responsive to a user's intended use and past vehicle usage in determining when a vehicle will be available for use at the parking area. For at least these reasons, claims 1, 18 and 22 are allowable over Klein *et al.* Claims 2-5, 7-17 depend from claim 1 and are allowable for at least the same reason. Claims 19-20 depend from claim 18 and are allowable for at least the same reason. Claims 23-28 depend from claim 22 and are allowable for at least the same reason.

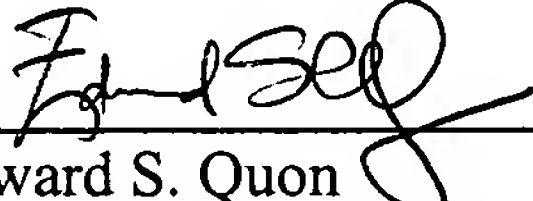
Appl. No. 10/027,370
Amdt. with RCE dated October 6, 2005
Reply to Advisory Action of September 23, 2005

CONCLUSION

Applicant believes that the objections and rejections have been addressed. Applicants respectfully submits that the claims are now in condition for allowance.

Respectfully submitted,

DATED: October 6, 2005



Edward S. Quon
Registration No. 52,144
MANATT, PHELPS & PHILLIPS LLP
1001 Page Mill Road, Building 2
Palo Alto, California 94304
650-812-1371 Telephone
650-213-0280 Facsimile

20144224.1